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FILED  
08 MAY 25 PM 12:01  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Julio Cesar NUNEZ-Gomez,

Defendant(s)

Magistrate Case No.

BY: 

COMPLAINT FOR VIOLATION OF:

Title 8 U.S.C., Sec. 1324 (a)(2)(B)(iii)  
Bringing in Illegal Aliens Without  
Presentation

The undersigned complainant, being duly sworn, states:

On or about **May 2, 2008**, within the Southern District of California, defendant **Julio Cesar NUNEZ-Gomez**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Miguel Angel ALANIZ-Morales, Maria Esther MATA-Martinez, and Cristobal SALAZAR-Flores**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

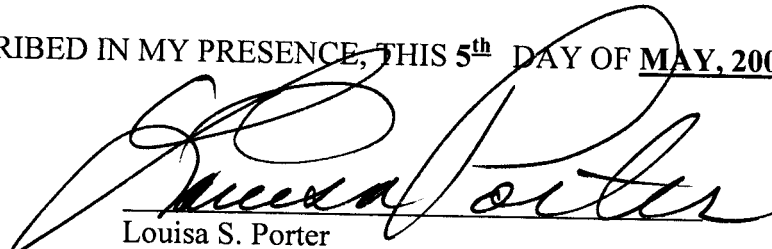
And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

Terri L. Dimolios  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 5<sup>th</sup> DAY OF MAY, 2008



Louisa S. Porter  
UNITED STATES MAGISTRATE JUDGE

FAS

**Julio Cesar NUNEZ-Gomez**

### **PROBABLE CAUSE STATEMENT**

Furthermore, the complainant states that **Miguel Angel ALLANIZ-Morales, Maria Esther MATA-Martinez, and Cristobal SALAZAR-Flores**, are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

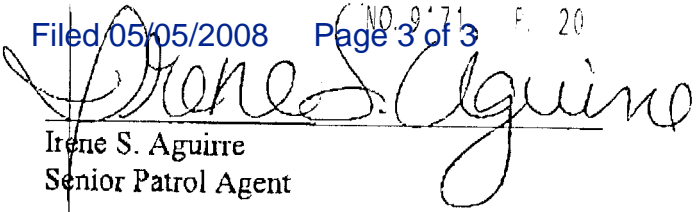
On May 2, 2008, at approximately 3:00 AM, Border Patrol Agent C. Cooper responded to a call from the National Guard Unit manning the West Scope area. They reported a group of seven individuals on six bikes traveling north through an area known as Goat Canyon. Goat Canyon is located approximately four miles west of the San Ysidro, California Port of Entry and is directly north of the United States/Mexico boundary. By the time Agent Cooper arrived, West Scope advised that another Border Patrol Agent had apprehended six of the individuals approximately 200 yards north of Goat Canyon. West Scope reported the seventh had separated from the main group and was running south. Agent Cooper went to the subject's last known location and saw a fresh set of footprints leading into the brush. After a brief search, Agent Cooper discovered the subject, later identified as **Julio NUNEZ-Gomez**, hiding in the brush. Agent Cooper identified himself as a United States Border Patrol Agent and asked **NUNEZ** to his citizenship. **NUNEZ** stated he is a citizen and national of Mexico and was not in possession of proper documentation to be in the United States legally. All of the aforementioned six individuals **NUNEZ** was traveling with were also not in possession of the proper documentation to be in the United States legally. **NUNEZ** along with the other six individuals in the group he was traveling with were arrested at approximately 2:00 AM and transported to the Imperial Beach Border Patrol Station for processing.

### **DEFENDANT STATEMENT:**

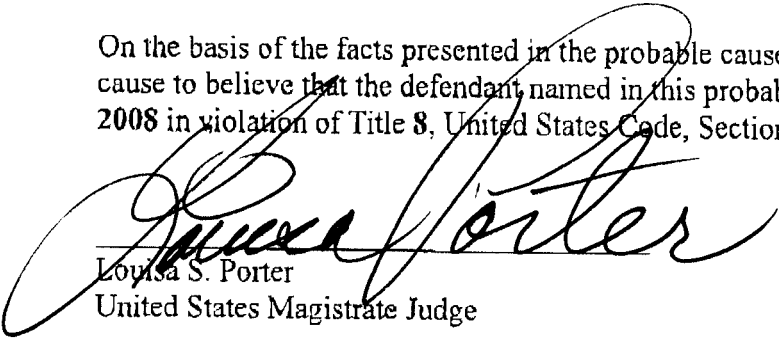
The defendant was advised of his Miranda Warnings and was willing to make a statement without an attorney present. **NUNEZ** stated he is an active foot guide in the Imperial Beach area working for an individual named "El Gallo." **NUNEZ** is paid approximately \$200.00 per individual using bicycles to smuggle illegal aliens. **NUNEZ** stated there are lookouts when conducting his smuggling activities to alert him when Border Patrol is in the Area. **NUNEZ** freely admitted to working as a foot guide in today's event. After successfully guiding aliens into the United States he takes them to a road called Hollister. At that location, an unidentified male in a green expedition takes them to a load house. From the load house another burgundy F-150 takes them to another location, from that location they are taken to their final destination.

### **MATERIAL WITNESSES STATEMENTS:**

Material witnesses **Miguel Angel ALLANIZ-Morales, Maria Esther MATA-Martinez, and Cristobal SALAZAR-Flores**, agree in summary that they are citizens and nationals of Mexico illegally present in the United States with no documentation that would allow them to enter, to be in or remain in the United States. The material witnesses stated that they were to pay between \$2,000.00 and \$2,500.00 to be smuggled into the United States. All three material witnesses were able to identify the defendant **Julio Cesar NUNEZ-Gomez**, as the guide of the group from a photographic lineup.

  
Irene S. Aguirre  
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 3 page(s), I find probable cause to believe that the defendant, named in this probable cause statement committed the offense on May 2, 2008 in violation of Title 8, United States Code, Section 1324.

  
Louisa S. Porter  
United States Magistrate Judge

5/3/08 12:15 p.m.,  
Date/Time